

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**JAMES WERTS,**

**Defendant.**

**8:06CR288**

## ORDER

This matter is before the court on the motion of defendant, James Werts, to continue trial, based on counsel's trial schedule. It does not appear, however, that counsel is unavailable or will be unable to prepare for the November 14, 2006 trial in this case. Under the circumstances, the court's calendar cannot accommodate the defendant's request.

**IT IS ORDERED** that defendant's motion to continue trial [53] is denied.

**DATED November 1, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**